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Today's Date: January 4, 2005 Time: 4:16 PM Employee ID: 6604 # of Pages: 73

From: Deborah A. Miller, Ph.D.	Direct Dial: 617-439-2863	Fax No: 617-310-9863
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RECIPIENT	COMPANY	FAX NO.	PHONE NO.
	USPTO	571 273-8300	

## COMMENTS:

Re: Application No. 10/766,642

Title: Enhancement of Angiogenesis To Grafts Using Cells Engineered to Produce  
Growth Factors

Filing Date: January 28, 2004

Group Art Unit: 1651

Examiner: A. Ford

Please see attached Information Disclosure Statement regarding the above-referenced application.

1392517.1

## STATEMENT OF CONFIDENTIALITY

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PAGE 1/9 \* RCVD AT 1/4/2005 4:50:23 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/25 \* DNIS:2738300 \* CSID:01116173109000 \* DURATION (mm:ss):03:18

JAN 04 2005

Attorney Docket No.: 105447-2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Anthony Atala et al.

Application No.: 10/766,642 - 4621

Group Art Unit: 1651

Filed: January 28, 2004

Examiner: A. Ford

For: Enhancement of Angiogenesis To Grafts Using  
Cells Engineered To Produce Growth FactorsCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450TRANSMITTAL LETTER

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

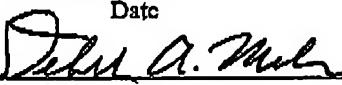
1. Information Disclosure Statement; and
2. PTO/SB/08 Form cited (23) references thereon.

The Commissioner is authorized to charge any overpayments or underpayments if necessary to our Deposit Account No. 141449, Reference No. 105447-2, Customer No. 021125. A duplicate of this sheet is enclosed.

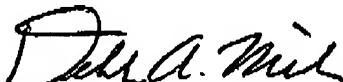
I hereby certify that this correspondence is being sent via facsimile at 571-273-8300 to:  
Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450 on:

January 4, 2005

Date

  
Deborah A. Miller, Reg. No 53,328

Respectfully submitted,



Deborah A. Miller, Reg. No. 53,328  
Agent For Applicants  
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1391970.1

JAN 04 2005

Attorney Docket No.: 105447-2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Anthony Atala et al.

Application No.: 10/766,642 - 4621

Group Art Unit: 1651

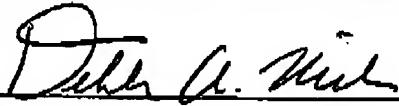
Filed: January 28, 2004

Examiner: A. Ford

For: Enhancement of Angiogenesis To Grafts Using  
Cells Engineered To Produce Growth FactorsCertificate of Facsimile

I hereby certify that this correspondence is being sent via facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 571-273-8300 on:

January 4, 2005

By: Date of Signature and  
TransmissionDeborah A. Miller  
Reg. No. 53,328

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56, §1.97 and §1.98, Applicants herewith make of record the reference listed on the attached copy of PTO/SB/08A Form. In accordance with §1.97(b), this statement is being filed before the mailing of a first Office Action.

Applicants have not submitted copies of each cited U.S. patent and each U.S. patent application as required by 37 C.F.R. 1.98 (a)(2)(i) since the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. If a copy of any cited reference is needed, please call the undersigned at the telephone number indicated below.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation

that such publication is prior art. Moreover, the Applicants understand the Examiner will make an independent evaluation of the cited publications.

Accordingly, no additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 141449.

Dated: January 4, 2005

Respectfully submitted,

By Deborah A. Miller  
Deborah A. Miller, Reg. No. 53,328  
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1391962.1

PTO/SB/103a/b (08-03)

Approved for use through 07/31/2006, GMB 0551-0031  
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Substitute for form 1448A/B/PTO				Complete If Known	
				Application Number	10/766,642
				Filing Date	January 28, 2004
				First Named Inventor	Anthony Atala et al.
				Art Unit	1661
				Examiner Name	A. Ford
Sheet	1	of	1	Attorney Docket Number	105447-2

U.S. PATENT DOCUMENTS					
Examiner Initials <sup>a</sup>	Cite No. <sup>b</sup>	Document Number Number-Kind Code <sup>c</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA		6,753,181	06/22/2004	Atala	
AB		6,673,339	01/08/2004	Atala et al.	
AC		6,820,203	09/16/2003	Atala	
AD		6,576,019	06/10/2003	Atala	
AE		6,519,492	02/11/2003	Yoo et al.	
AF		6,482,845	11/19/2002	Atala	
AG		6,479,064	11/12/2002	Atala	
AH		6,432,081	08/13/2002	Atala	
AI		6,428,802	08/06/2002	Atala	
AJ		6,383,478	05/07/2002	Prokop et al.	
AK		6,376,244	04/23/2002	Atala	
AL		6,171,344	01/09/2001	Atala	
AM		6,165,487	12/26/2000	Ashkar et al.	
AN		6,140,039	10/31/2000	Naughton et al.	
AO		5,858,721	01/12/1999	Naughton et al.	
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AQ		5,855,610	01/05/1999	Vacanti et al.	
AR		5,851,833	12/22/1998	Atala	
AS		5,266,480	11/30/1993	Naughton et al.	
FOREIGN PATENT DOCUMENTS					
Examiner Initials <sup>a</sup>	Cite No. <sup>b</sup>	Foreign Patent Document Country Code <sup>c</sup> -Number-Kind Code <sup>c</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
BA		WO 02/073187	09/19/2002	Advanced Cell Technology, Inc.	T <sup>d</sup>

<sup>a</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>b</sup>Applicant's unique citation designation number (optional). <sup>c</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. <sup>d</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>e</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>f</sup>Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST.16 if possible. <sup>g</sup>Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>b</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published,			T <sup>d</sup>
	CA	Cima, L.G. et al. "Tissue Engineering By Cell Transplantation Using Degradable Polymer Substrates", <i>Journal of Biomechanical Engineering</i> Vol. 113, pg. 143-151 (1991);			
	CB	Lanza, Robert P. et al. "Generation of Histoocompatible Tissues Using Nuclear Transplantation" <i>Nature Biotechnology</i> , Vol. 20, pg. 689-696 (2002);			
	CC	Schuch, Gunter et al. "In Vivo Administration of Vascular Endothelial Growth Factor (VEGF) And Its Antagonist, Soluble Neuropilin-1, Predicts A Role of VEGF In The Progression of Acute Myeloid Leukemia In Vivo", <i>Blood</i> , Vol. 100, No. 13, pg. 4622-4628 (2002);			

<sup>a</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>b</sup>Applicant's unique citation designation number (optional). <sup>c</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
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